

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES STEWART,)	
)	
Plaintiff,)	
)	
v.)	No. 4:14CV00161 ERW
)	
CITY OF ST. LOUIS, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. Upon review of the financial affidavit, the Court has determined that plaintiff is unable to pay the filing fee. 28 U.S.C. § 1915. Consequently, the motion will be granted.

Pursuant to 28 U.S.C. § 1915, the Court is required to review plaintiff's allegations for frivolousness, maliciousness and for failure to state a claim upon which relief may be granted. Plaintiff's complaint centers around a challenge to the validity and constitutionality of a municipal ordinance in the City of St. Louis governing what is commonly referred to as "red light camera enforcement systems." He asserts violations of his civil rights pursuant to 42 U.S.C. § 1983.

It is alleged that plaintiff was driving a rental car in the City of St. Louis in June of 2013 when the car was photographed purportedly driving through a red light near the intersection of Jefferson and Park Avenues. The company contracted by St. Louis City

to handle matters relating to the red light camera enforcement system, American Traffic Solutions (“ATS”), contacted Hertz Rental Corporation, who provided an affidavit to ATS regarding who had rented the car during the alleged time period. Hertz then charged plaintiff \$30.00 for the cost of providing assistance to a “government agency.” Thereafter, plaintiff received a notice of violation in the mail from the City of St. Louis with a pending violation amount of \$100.00, stating that he had run a red light while driving a Hertz rental car. To date, plaintiff claims that he has not paid the ticket. And the ticket, which is attached to plaintiff’s complaint, does not appear to provide plaintiff with a time or place at which he could have disputed the allegations in a court of law.

Although plaintiff’s pro se complaint is far from clear, it appears that he is alleging that the process of issuing red light tickets through traffic cameras in the City of St. Louis violates his 5th Amendment right against self-incrimination, his substantive and procedural due process rights under the 14th Amendment, his rights under the confrontation clause of the 6th Amendment, and his general right to privacy. Plaintiff also asserts a conspiracy claim, pursuant to 42 U.S.C. § 1985, between the City of St. Louis, ATS, Linebarger Goggan Blair & Sampson, LLP, City Counselor Craig Higgins and Police Officer Stevie Kotraba. Last, plaintiff asserts that the City Ordinance is invalid and unconstitutional based on a number of state law arguments.

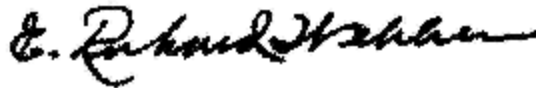
The Court finds that plaintiff's claims pass review under § 1915 at this time. As such, the Court will order the Clerk to issue process on plaintiff's complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk shall issue process or cause process to issue on the complaint.

So Ordered this 12th day of March, 2014.

A handwritten signature in black ink, appearing to read "E. Richard Webber", is written above a horizontal line.

E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE